

Formulary Committee Meeting

5/2/2018

Members present were: Bill Wheeler, Eric Strauss, Maralyn Lytle, Celeste Ackerman, Adrienne McLean, Cindy Zimmerman, Karen Wiles, Bri Lake, Kristine Ediger, Lindi Mandy, Michelle Fairclough, Mark Eichler, Tony King, Mark Cadwallader, and Lance Zanto.

Members present via GoToMeeting: Jennifer Hepfner, John Schumpert, Doug Buman, Leslae Dalpiaz, and Mike Marsh.

Others present via GoToMeeting: Vicki Evans, Monica Sanchez, Robert Swisher, Adam Fowler, Jason Swant, and LisaAnn Bickford.

Meeting was opened at 1:00 pm with roll call of committee members and attendees present via GoToMeeting.

Adrienne McLean opened with reminders of cell phone usage during any presentations and for GoToMeeting attendees to please speak up and state name and affiliated company.

Bill Wheeler discussed the draft rules for Prior Authorization and First Fill with the following points discussed:

- Rule IV (3) (d) was removed from rule language.
- Michelle Fairclough, MSF, reported Kevin Braun, MSF Attorney, reviewed the draft rules and question of why insurers will pay for “N” drugs with First Fill?- Idea is to pay for emergent medication within First Fill situation-will almost always include commonly used WC drugs and “Y” or “N” would be allowed in First Fill.
- Leslae Dalpiaz recommended to remove “timely” in Rule IV (8) and replace with “72 hours” as listed in (7).
- Rule IV (8)- add “subsequent” to “an approval for a prescription medication made due to the lack of a timely response by the insurer does not apply to any *subsequent* refill that may be ordered.
- Question as to whether 72 hours is business or regular hours- Agreed to change language Ok to business hours.
- When more than one employer is involved, which insurer is liable for First Fill script? Insurer at time of injury is liable.
- First Fill prior to FROI being filed- law puts liability on last injurious exposure- request for verbiage to be added to Rule V (5) to clarify insurer liability.
- What is logic for Rule V (5) in regards to a denied claim? To ensure IW gets meds needed on First Fill regardless of accepted or denied claim and pharmacy is free to dispense and guaranteed payment.
- Where do opioids and narcotics fall in Formulary? Some are Y drugs, most are N drugs, all are allowable during First Fill only.

- Difference between MME and MED? MME refers to a specific drug, MED is a compilation of all drugs being taken by a patient.
- Rule V (2) “injury appropriate” term- may not have enough info on an injury for it to be considered “appropriate”. Michelle Fairclough, MSF, commented some prescriptions fall through the cracks but going forward the script would not be allowed, possible retrospective review would apply.

Bill Wheeler presented on Dispute Resolution:

- Flow chart was presented to committee via PowerPoint.

Questions and comments regarding Dispute Resolution were presented:

- Will number of Dispute Resolutions increase after Formulary implementation? - Most likely not, based on data from other states.
- What constitutes a medical emergency? – Would medical director or treating physician determine? Will discuss with Dr. Snyder, Tennessee, for information.
- Adam Fowler will supply TX definition of medical emergency to Bill Wheeler.
- Request to add “insurer” to IW, IW Attorney box on flow chart.
- Chart will be updated to reflect changes requested.

Cindy Zimmerman presented on the Dislocated Worker Grant:

- Mark Eichler requested the Pharmacy Association be included.

Bri Lake presented The Opioid Utilization in MT Workers' Compensation presentation:

Questions and comments were discussed:

- Where does NCCI data come from and who reports the data? – All private insurers, all but Plan 1 is required to report data.
- Will Legacy Claims roll into rule making currently in process? Yes
- Lance Zanto reported that MT Health Care & Benefits will do a study as to how medication usages relates to state wide usages within healthcare for state employees.

Next steps:

- Rules- Working draft to continue
- Refine definitions
- Dispute resolution
- Legacy claims

Public comments:

- No comments presented

Next meeting to be scheduled in June

Meeting adjourned at 3:15 pm.